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8 Attorneys for Defendant, MANUFACTURERS AND TRADERS TRUST
9 COMPANY aka M&T BANK

10 **UNITED STATES DISTRICT COURT**
11 **SOUTHERN DISTRICT OF CALIFORNIA**

12 Victoria A. Amelina, an individual; and)
13 A.A.; D. S and B.S., each individuals)
14 and minors by and through their)
15 Guardian Ad Litem, Victoria A.)
16 Amelina,)

17 Plaintiff,)

18 vs.)

19 Manufacturers and Traders Trust)
20 Company aka M&T Bank, Safeguard)
21 Properties, LLC, and the Wolf Law)
22 Firm, A Law Corporation.)

23 Defendants.)
24)

Case No.: 3:14-cv-01906-WQH-NLS

**NON-OPPOSITION TO
PLAINTIFFS' MOTION FOR
LEAVE TO FILE THIRD
AMENDED COMPLAINT**

Date: January 19, 2016

Time: N/A

Ctrm: 14B

***NO ORAL ARGUMENT UNLESS
REQUESTED BY THE COURT***

25
26 **TO THIS HONORABLE COURT AND TO ALL PARTIES AND**
27 **THEIR ATTORNEYS OF RECORD:**

28 Defendant, MANUFACTURERS AND TRADERS TRUST COMPANY

1 aka M&T BANK ("M&T") does not oppose Plaintiffs' Motion for Leave to File
2 Third Amended Complaint, which proposed Third Amended Complaint is attached
3 to Plaintiffs' Motion. M&T agrees to accept service of the Third Amended
4 Complaint, once filed, by mail on counsel of record.

5
6 Respectfully submitted,
7 WRIGHT, FINLAY & ZAK, LLP
8

9 Dated: January 4, 2016

By: /s/ Patricia L. Penny, Esq.
10 Robin P. Wright, Esq.
11 Patricia L. Penny, Esq.
12 Attorneys for Defendant,
13 MANUFACTURERS AND TRADERS
14 TRUST COMPANY aka M&T BANK
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PROOF OF SERVICE

I, L. ROBLEY, declare as follows:

I am employed in the County of Orange, State of California. I am over the age of eighteen (18) and not a party to the within action. My business address is 4665 MacArthur Court, Suite 200, Newport Beach, California 92660. I am readily familiar with the practices of Wright, Finlay & Zak, LLP, for collection and processing of correspondence for mailing with the United States Postal Service. Such correspondence is deposited with the United States Postal Service the same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

On January 4, 2016, I served the within **NON-OPPOSITION TO PLAINTIFFS' MOTION FOR LEAVE TO FILE THIRD AMENDED COMPLAINT** on all interested parties in this action as follows:

☐ by placing ☐ the original ☐ a true copy thereof enclosed in sealed envelope(s) addressed as follows:

[SEE ATTACHED SERVICE LIST]

☒ (CM/ECF Electronic Filing) I caused the above document(s) to be transmitted to the office(s) of the addressee(s) listed by electronic mail at the e-mail address(es) set forth above pursuant to Fed.R.Civ.P.5(b)(2)(E). "A Notice of Electronic Filing (NEF) is generated automatically by the ECF system upon completion of an electronic filing. The NEF, when e-mailed to the e-mail address of record in the case, shall constitute the proof of service as required by Fed.R.Civ.P.5(b)(2)(E). A copy of the NEF shall be attached to any document served in the traditional manner upon any party appearing pro se."

☒ (Federal) I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January 4, 2016, at Newport Beach, California.



L. ROBLEY

SERVICE LIST

Amelina v. Manufacturers and Traders
U.S.D.C.-S.D. Case No. 3:14-cv-01906-WQH-NLS

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